

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

**IN RE FAIRLIFE MILK PRODUCTS
MARKETING AND SALES PRACTICES
LITIGATION**

This Document Relates to All Cases

MDL No. 2909
Master Case No. 19-cv-3924
Judge Robert M. Dow, Jr.

**STATEMENT IN SUPPORT OF APPLICATION OF AMY E. KELLER,
MELISSA S. WEINER, AND MICHAEL R. REESE FOR APPOINTMENT AS
INTERIM CLASS COUNSEL PURSUANT TO FEDERAL RULE OF CIVIL
PROCEDURE 23(G)**

Counsel for Plaintiff Kevin Ngai, the law firm of Kasdan LippSmith Weber Turner LLP (“KLWT”), hereby submits this statement in support of the motion to appoint Amy E. Keller of DiCello Levitt Gutzler LLC, Melissa S. Weiner of Pearson, Simon & Warshaw, LLP, and Michael R. Reese of Reese LLP (collectively, the “DPR Team”) to serve as co-lead interim class counsel in this matter.

KLWT has decades of experience focusing almost exclusively on plaintiff-side litigation, and its lawyers have collectively recovered more than \$1 billion in complex cases against the largest companies in the world. *See* Exhibit 1, KLWT Firm Resume. In doing so, KLWT has collaborated with dozens of other law firms on substantial matters like this one, and is therefore keenly aware of what it takes to lead a team of lawyers to successfully pursue claims for consumers. KLWT adamantly believes the

DPR Team and their coalition of plaintiff firms has what it takes to have the best shot at winning this case for fairlife Milk consumers.

Compared to any other lawyers seeking interim co-lead positions here, the DPR Team has vastly more experience on, success in, and bandwidth for managing class action multidistrict litigation and other complex litigation matters. The DPR Team's members are geographically located both where this matter is pending and in other key locations where substantial work will inevitably take place. Perhaps most importantly, the DPR Team offers a talented group of lawyers with diverse backgrounds and experiences, qualities that are vital to effectively representing the broad base of nationwide consumers with claims sought to be certified here.

The DPR Team members are best suited for lead counsel in this matter. As counsel for Plaintiff Ngai, KLWT believes that the DPR Team will best serve the interests of our client and the other putative class members. As such, KLWT respectfully requests that the Court appoint the DPR Team to serve as co-lead interim class counsel for the fairlife Milk consumers.

Dated: December 6, 2019

Respectfully submitted,

KASDAN LIPPSMITH WEBER TURNER LLP

/s/ Graham B. LippSmith
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Counsel for Plaintiff Kevin Ngai
USDC Number: 1:19-cv-07141

CERTIFICATE OF SERVICE

I hereby certify that on December 6, 2019, I electronically filed the **STATEMENT IN SUPPORT OF APPLICATION OF AMY E. KELLER, MELISSA S. WEINER, AND MICHAEL R. REESE FOR APPOINTMENT AS INTERIM CLASS COUNSEL PURSUANT TO FEDERAL RULE OF CIVIL PROCEDURE 23(G)** with the Clerk of the Court, using the CM/ECF system, which will send notification of such filing to the counsel of record in this matter who are registered on the CM/ECF system to receive service.

/s/ Graham B. LippSmith

Graham B. LippSmith